THE

WEEKLY ENTERTAINER.

For MONDAY, July 28, 1806.

Shocking Incidents at Zurich, during the late Revolution.

IN the late revolution Zurich and its environs experienced, more than any other part of Switzerland, the horrors of war, and the oppression of foreign troops. Its loss is estimated at sixteen millions of old French livres, six of which are said to have been wasted in devastation alone. It was the chief military position of all the armies, and might have proved destructive to the ambitious projects of France, had not the same want of a united co-operation in the allied forces defeated the best objects there, as it has done always.

Near Zurich there was an auxiliary army of Russians, who came far, very far, from the borders of Asia, and the immeasurable deserts of Siberia and Tartary. Many of the rude inhabitants of those remote climes now eyed with amazement the novel and grand spectacle of Helvetia's towering snowy mountains, and were destined to carry on a new and unusual warfare amidst its craggy precipices, and in the depth of its abysses. The whole surrounding country abounds with accounts of the intrepidity, obedience, fidelity, and sturdiness, of these northern warriors. Even the French officers were often heard to speak with admiration of their military virtues.

The melancholy incidents which took place during these hostilities are necessarily fresh in the memory of the inhabitants. Among several which have been related to me, I cannot refrain from communicating one which has strongly impressed my mind. A newly-married pair were living happy and careless in their village when the tidings were brought by fugitives of a decisive battle having just taken place in the neighbourhood. The report was too soon confirmed by the thunderings of the approaching cannon. The bridegroom, equally animated by

a martial spirit and a love for his wife, wavered betwixt the desire of engaging in the contest, and of flying with the object of his affections. He went out as far as the hasty intrenchments of the retreating party, where cannon was already planted against cannon, and where the cries of the combatants were lost in the horrid roar of guns and the clash of arms. In this scene of tumult the thought of his bride, and of her abandoned state, gaining the ascendency in his mind, he hastened back to his house amidst a shower of balls, which struck the earth on all sides of him. Before he reached his home his aged parent met him in tears, and pointed to the roof, where a hostile ball had violated their peaceful dwelling. Where is my wife? was the reply of the anxious husband. On being informed that she was in the house, and had gone up stairs to see the cottage that was said to be burning in the neighbourhood, he flew to the garret, where to his inexpressible horror he saw her weltering in her blood. The very ball which had struck the roof had taken off both her legs in the moment in which she looked out of the window. She now lay in the agonies of death; he threw himself beside her, and recalled her for a moment to life by the loudness of his lamentations. She opened her eyes, essayed to stretch forth her arms, and moved her lips to speak to him; but her arms sunk, her lips refused to do their office, she reclined her head, and her soul fled to Heaven!

She is dead, cried the frantic husband, starting up, and breaking through the crowd of spectators, who vainly attempted to oppose his progress, he rushed towards the intrenchments, and was seen no more.

Some soldiers afterwards related that a young man suddenly sprung in among them, they knew not from whence, snatched the arms from the hands of one of them, and was darting over the intrenchments with incredible fury, when some grape-shot shattered his body in pieces, and numbered him with the slain who filled the ditch. There he probably remained; for when the intrenchment became useless, after having been stormed by the enemy, the moat was closed up, and served as a common grave for the friendless stranger and the unhappy husband, whose beloved wife, after a week's union, was consigned at the same time to a grave in the neighbouring church-yard!

Before the revolution the arsenal, one of the most considerable in Switzerland, was exhibited as a very great curiosity, possessing very important historical antiquities, no less instructive than venerable. Of the latter description was the bow and arrow with which William Tell is said to have shot the apple from his son's head at the command of Gessler; and the battle-axe of the famous military priest and reformer Zwingli. But

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the arsenal and treasury, both here and in other parts, were alike cleared by the French.

Some Account of Captain Goodall's Sufferings and Escape from France.

AT the commencement of the war, Captain Goodall commanded a privateer belonging to London, called the Catherine and Mary, in which he took some valuable prizes. On the 25th of July, 1803, he fell in with La Caroline French privateer, of nearly double his force. She had in her possession at that time two English prizes, which tempted him to attack her; when after an action of twenty-five minutes, he quitted the French privateer (being able to outsail her), and made for the two prizes, both of which he captured in sight of La Caroline, who made all the sail she could to retake them; to prevent which Captain Goodall placed his vessel between the two prizes, and the Caroline determined to hazard another action, rather than tamely let them be taken possession of. The second engagement was a most dreadful one; it lasted one hour and fifty-five minutes, and Captain Goodall at length was obliged to strike his colours, but not 'till he had expended every shot in his vessel; the two prizes were therefore soon retaken by the same privateer.

Captain Goodall and his crew were put on board the French ship; the seamen were confined below; but himself and Mr. Palmer, an officer, were allowed the use of the cabin. On the 1st of August they were taken into L'Orient. The commissary there treated them in the most inhuman manner: he ordered them a seven days march to Rennes, without any other subsistence than bread and water, and the former only scantily supplied. At Rennes they were put in gaol along with the criminals, where they remained three days on bread and water, although the felons were allowed beef. A remonstrance from Captain Goodall to General Laborde procured them seven sous per day for each man, which was paid them until their arrival in the environs of Paris, where they were again imprisoned, and the allowance for each man reduced to three sous per day. On this small pittance they existed in prison, and likewise on their march to Epinal, which took place a few days afterwards. They reached the place intended for their final abode the 13th of September, where they found about 250 of their countrymen.

On Captain Goodall's enquiring into the state of the prison allowance, he found the French government allowed each man six sous per day; but the captain of the depot received the whole himself, and in lieu thereof gave each man only four ounces of beef, and one pound and a half of black bread, which the prisoners could not exist upon, and must have been

starved to death, but for the humanity of Captain Brenton and officers, who allowed, out of their private purses, a weekly stipend to the crew, to supply the wants of nature. They were only required to attend prayers regularly. Captain Goodall did the same by the crew of the privateer.

Throughout all the country which Captain Goodall and his crew marched to the prison, they never met with any reproach from the tradesmen or peasantry, and from no other sort of people except those connected with the government, and they were brutal in the extreme. Captain Goodall remained at Epinal from the 13th of September until the end of the month, without being able to obtain a sous of the subsistence-money; and not having signed the parole, as nearly all the rest of the officers had done, he conceived it no breach of faith to quit a place where he must inevitably have starved, had he not had any other resource. For that purpose, Captain Goodall proposed a plan of escape to Mr. Palmer, who consented to be the partner of his toils. It was a fortunate circumstance that Captain Goodal had just received a supply of money from Paris, from one who has often proved an Englishman's friend.

Being thus prepared, they set off the next day, being the 9th of October, having first taken care to provide themselves with a French guide. The guide took them through bye-ways during the day-time, and at night pursued the main road 'till sunrise, when they found themselves 35 miles distant from Epinal. Here they took up their abode for the day. Not having dared to purchase any provisions on the road, the only refreshment they had during the day was a draught of water. They had passed through several towns and villages without any interruption; and on the morning of the 3d, arrived on the borders of the Rhine, within a short distance from Basle. Here the guide executed his last kind office for them, which was to shew them the most convenient place to swim across, which after some difficulty they accomplished; but on gaining the land, they found themselves on an island, and that they must cross another channel, whose current was much stronger than the one they had already passed: they, however, after much fatigue, surmounted this obstacle, and now once more found themselves surrounded with difficulties; another strong current was still before them.

Almost worn down with fatigue and fear, they saw a boat coming to the little island on which they were. In the boat fortunately were two milk-maids, who were coming to perform their morning office. For a trifle Captain Goodall and his friend obtained a passage on shore, which placed them safe on the German territory. They now for the first time since their departure ate a hearty meal. Their fears were at an end; and they now pursued a circuitous route, by Swalen, Durlich, &c.

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to Berlin, where Captain Goodall obtained a passport of Mr. Jackson, who received him with marked attention. They soon after embarked on board the Lark packet for England, and arrived safe at Harwich.

Memoirs of the late Sir Robert Kingsmill, Bart. Admiral of the Red.

THIS gentleman, whose original name was Brice, was the descendant of a very ancient and respectable family long settled at the town of Belfast, in Ireland: he was born about the year 1730. Having from his earliest infancy displayed a predilection in favour of a naval life, he was indulged by his parents in that propensity, and accordingly entered at a proper age into the royal navy. In the subordinate ranks of midshipman and master's mate he constantly displayed a diligent attention to the duties of his station, as well as care, and a conviction of the necessity of it, far beyond what has generally appeared in the character of youth.

Such having been the promising outline and traits of his conduct, he was very deservedly appointed a lieutenant on the 20th of April, 1756. By an unremitting perseverance in the same steps, he established his own credit, and acquired the esteem, the confidence, and the love of all his superiors.

After remaining from the commencement of the war, 'till the beginning of the year 1761, without obtaining any advancement, a circumstance which he endured not only without murmur, but without manifesting any other kind of impatience than what was produced by the honest wish of distinguishing himself in the service of his country more conspicuously than the station which he then was in permitted, he was at the end of the month of January sent to sea for the first time in an independent station, as acting commander of the Swallow sloop of war. His very outset in life as a naval commander was attended with one of those successes, which, though trivial in themselves, are considered even by persons whose minds soar above superstition, as ominous of prosperity; at least they serve as incentives to exertion. Being employed in cruising off the coast of France, he fell in with, and captured, almost without resistance, a privateer belonging to Bayonne, called the Sultan. Equalling as it did in force the vessel which Mr. Kingsmill himself commanded, the adroitness and ease with which he effected his conquest reflected no less honour on him than he could possibly have acquired by the most hard-fought action.

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Being confirmed on the 3d of July following in that rank and station, which had before been only temporary, he was ordered to the West Indies, as commander of the Basilisk bomb-ketch. This vessel formed one of the armament ordered thither with rear-admiral, afterwards Lord Rodney, on an expedition planned against the island of Martinico. The armament sailed from Spithead on the 18th of October, and arrived off Martinico on the 7th of January. The whole island having submitted to the British arms on the 13th of February, all the rest of the French possessions and colonies in that part of the world, as though considering resistance was fruitless against men who had so rapidly forced some of the strongest fortified holds, either in that or any other country, immediately surrendered; and the islands of St. Lucia, Grenada, together with St. Vincent, passed into the possession of the conquerors of their countrymen, without the smallest attempt towards their defence.

This service being so successfully accomplished, Mr. Brice was ordered back to England, and immediately on his arrival appointed to command one of the yatchs then equipping for the purpose of convoying from Stade the Princess Charlotte of Mecklenburg, the betrothed queen to his present majesty, together with her suite. This honourable and complimentary command was not held, however, without danger, the whole fleet being assailed by a most tremendous storm, of long continuance, in the course of which not only the yatchs, but the ships of war which convoyed them were in the utmost peril. Nevertheless, seamanship and exertion enabled them all to weather it, and bring their illustrious charge to England in perfect safety. The yacht being paid off, Captain Brice remained unemployed from the conclusion of the year 1761, 'till the 26th of May in the ensuing spring, when he was raised to the rank of post captain, and appointed to the Crescent frigate.

He was immediately subsequent to this advancement ordered to the West Indies, where he remained 'till the end of the year 1764; being then ordered to England, he was paid off early in the ensuing spring, and retired for a time from the fatigues of a long, laborious, and uninterrupted service, to the relaxation attendant on a private life, and the comforts of domestic society.

In 1766, he married Miss Kingsmill, a Berkshire lady of very respectable family, and in consequence of that union obtained possession of a very considerable landed property, and likewise received his majesty's permission to assume the name of Kingsmill. The activity of his mind being rather ill suited to the nature of the service required in time of profound peace; his pecuniary circumstances very affluent, and himself

possessing no desire to encounter the fatigue and trouble of a naval life when he could so very immaterially contribute to the service of his country, he declined accepting any commission from the time of his quitting the Crescent 'till the beginning of the year 1778, when the insidious conduct of the court of France rendering a rupture more than probable, and holding forth indeed every expectation of a long, severe, and bloody contest, he quitted, without the smallest regret, the pleasures of retirement, together with all those social comforts which he had enjoyed, and accepted the command of the Vigilant, of 64 guns, then under equipment for the channel or home service. In this ship he was present on the 27th of July following, at the memorable encounter which took place off Ushant between the French fleet, commanded by the Count D'Orvilliers, and that of Britain by Admiral Keppel; and although very materially engaged, yet was so fortunate as to have no more than two of his people killed, and three wounded.

The rage of party, and the known independence of Captain Kingsmill's principles, caused the country to lose the advantage of his knowledge and abilities during the greater part of the war which had then commenced. The Vigilant being ordered, at the conclusion of the year, to the West Indies, this gentleman removed from that ship, and was not appointed to any other 'till after the great political revolution which took place in the month of April, 1782. Not long after this, he received a commission appointing him to command the Elizabeth, of 74 guns, a ship which had immediately before received so complete a repair as to be considered nearly equal to one just launched.

The delays which unavoidably impede even the civil departments of the naval service, in time of war, prevented this ship from being ready for sea at the time the late earl, then Lord Viscount Howe sailed for the Streights to attempt the relief of Gibraltar, in the face of the combined fleets of France and Spain. Grievous must have been the disappointment to an officer possessing so much energy and activity of mind, so much true zeal to distinguish himself in the service of his country, at finding himself precluded by unavoidable circumstances from being personally concerned in an enterprise which appeared to promise such great opportunity of acquiring renown.

During the absence of this armament he was appointed to conduct a small squadron, of which the Elizabeth formed a part, that was ordered to be fitted for the East Indies. The delays naturally incident, to the complete equipment of a naval force, intended for long and active service in a far distant station, were very considerably augmented by the inclemency of the weather, so that it was the 17th of January before Captain

Kingsmill

Kingsmill was enabled to sail from Spithead. The force under his orders consisted of the Elizabeth (his own ship), with the Grafton, of 74 guns, the Europe, of 64, and the Iphigenie frigate, of 32 guns. Misfortune attended this armament from the first moment of its departure. After it had with much difficulty reached the bay of Biscay, a continued tempest, rendered still more inauspicious from the wind which occasioned it, being adverse to the intended course of the squadron, dispersed all the ships which composed it, the greatest part of which were not only completely dismasted, but so much shaken and injured in their hulls by the repeated shocks of the sea, that it was with the greatest difficulty some of them were prevented from foundering. They all, however, were fortunate enough to effect their return in safety, and Captain Kingsmill, who with the most unremitting perseverance strove to make his passage, though separated from all his companions, was at length, notwithstanding he was more fortunate in having sustained less injury than they had done, compelled to put back.

He returned to Spithead on the 1st of February, with the loss of all his topmasts; and the preliminaries of a general peace between Great Britain, France, Spain, Holland, and the United States of America, having been concluded at the commencement of the year 1783, the necessity of sending any further naval reinforcement to the East Indies, became of course superseded. The Elizabeth was, nevertheless, ordered to be retained in commission, being one of those intended for a guardship on the peace establishment. A continuance in the same command being offered to Captain Kingsmill as a very proper compliment, and as a proof of the value set on his former services, he accepted the offer, and continued to command the Elizabeth during the three years ensuing, which is the period customarily allotted to appointments of that nature. After quitting the Elizabeth, he once more returned to those domestic enjoyments, from which he had so willingly estranged himself when he considered the tender of his services a duty which his country required.

In 1790, when the insolent behaviour of the court of Spain, or rather of certain officers acting under its orders, had rendered the apprehension of a serious dispute with that country relative to Nootka Sound, very general, Captain Kingsmill was among the first officers who received commissions on that occasion. The ship to which he was appointed was the Duke, of 90 guns: but the affair being soon amicably compromised, the Duke, as well as all the other ships equipped on the occasion, were immediately put out of commission, a circumstance which closed the services of Captain Kingsmill in the rank he then held.

(To be continued.)

ACCOUNT *of the* ALARM BIRD.

NEAR the Copper-mine river, which falls into Hudson's Bay, live a tribe of Indians, who traverse the immense and dreary solitudes that surround them, in pursuit of deer or other game, from which they derive their only subsistence. The animals, however, taught by experience to shun the haunts of men, and instinctively led to conceal themselves in the most sequestered spots, would with difficulty be discovered, were it not for one of the winged tribe, of the owl genus, called the alarm bird.

No sooner does this bird descry man or beast, than it directs its flight towards them, and hovering over them, forms gyrations round their head. Should two objects at once arrest its attention, it flies from the one to the other, alternately, with a loud screaming, resembling the crying of a child: and in this manner it will follow travellers, or attend a herd of deer, for the space of a day.

By means of this guide, whose qualities so well correspond with its name, the Copper Indians are apprized of the approach of strangers, or directed to the herds of deer and musk-oxen, which otherwise they would frequently miss. Is it to be wondered at, then, that they hold the alarm-bird in the highest veneration? It seems, indeed, to have been intended by providence for the solace and friend of the miserable inhabitants of those wild and sterile regions; and will furnish a new evidence of that superintending care which watches over all.

The cuculus indicator, so celebrated in the warmer climates for detecting the treasures of the bees, in the deep recesses of the woods, within the hollow trunks of trees, has, or may be thought to have, a view and an object in its services. It feels the want of human assistance, to enable it to enjoy the fruits of its discoveries, and therefore instinctively calls for it, in hopes of being recompensed with a share of the honey, which we are told the natives readily allow it; but the alarm bird appears perfectly disinterested in its labours; it answers no purpose of its own, and therefore may be considered as one of the bounties of Heaven to a people and a country almost shut out from the participation of the common blessings of life. It confers benefits without the prospect of a reward; and for this reason is entitled to the greater regard.

To contemplate the various animals that are dispersed over the globe, and the various blessings and advantages of different climates, will naturally lead us to the source and dispenser of all; and though some parts of the works of creation, are more conspicuously beneficial, and cannot escape the most common

observer, yet we may, from analogy and reason conceive, that nothing was made in vain.

Remarks of a Hampshire Naturalist, written in the Month of June, 1806.

THE nightingales arrived this year somewhat later than usual, owing to the easterly winds which prevailed during the greater part of the month of April. They are, however, now heard every night in the woody parts of the New Forest; and also very frequently during the day-time. What a barbarous taste must that person have had who (according to the relation of Aldrovandus) was so disgusted with the song of these delightful birds, as to have all the trees in the neighbourhood of his house cut down, in order that no shelter might be afforded to them!

The fishermen have been employed in trawling mackerel every evening since the beginning of May, but hitherto the shoals have not come into the bays. They have, however, been at sea a few leagues from the coast, and hopes are entertained that they will soon approach the shores.

An angel shark *(squalus squatina* of Linnæus), two feet long, was caught in the nets about the middle of May.

A few evenings after the mackarel fishing commenced this year, the fishermen, in hawling their nets, found them so heavy, that considerable fears were entertained lest they should burst. They were filled with an immense quantity of a species of *medusa*, or sea blubber, to the weight of two or three tons. It is singular, with respect to these animals, that they always approach the coasts against the wind. A wind from the north-east prevailed during this time. On the following night (the wind having changed round to the south-west), very few of them were caught. The fishermen assert that mackerel will never approach the places where they are found in any abundance, and that their appearance seldom fails to drive the mackerel away.

During the season in which sheep are washed in the rivers previously to their being shorn, the salmon-fishers assert that salmon are always less abundant than at any other period of the summer. They account for this by asserting that these fish, disliking the water impregnated with grease, &c. from the bodies of the sheep, generally retreat again, for a short time, into the sea.

The *acherines* are now in great abundance on the sandy shallows along the coast; the present month being that in which they chiefly spawn. They are usually called smelts in the isle

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of Wight, and in Sussex, Hampshire, and Dorsetshire; but they are essentially different from these fish, as is apparent on the slightest inspection. They want that peculiar smell from which the smelts have derived their name; and they have, along each side of their body, extending from the head to the tail, a bright silvery longitudinal band, that is not to be found in the latter. Atherines are generally caught either by fine Seine nets, or in a small round net with an iron rim, suspended, by cords, to the end of a pole. This is let down to the bottom of the water, where it is not very deep; and when part of the shoal are observed in the act of swimming over it, the net is raised gently up, and the fish, rising with it to the surface, are then easily secured by suddenly drawing it out.

A goat-sucker, or fern owl, was shot and sent to me on the 26th of May. These birds are merely summer inhabitants of Great Britain. They are generally first observed about the middle of May, and continue 'till nearly the end of September. Their very singular note, not much unlike the continued whirring of a spinning-wheel, may be heard almost every fine evening in woods and copses of the south of England. Their flight is very slow, and they fall on almost the slightest wound.

The wheatears are arrived, but hitherto I have observed very few.

I this year observe more glow-worms on the banks by the road sides, than I have done for the last two years, and some that I have remarked have been peculiarly luminous. It is not often that I have been able to discover the males; but a few evenings ago, in taking one of the females into my hand, I took up at the same time a male that happened to be along with her.

On the 1st of June I caught a remarkably fine specimen of the poplar hawk moth, *sphinx populi*, of Linnæus. It was a female; and she deposited in the box where I kept her about two hundred eggs. In the course of ten days a considerable portion of these were hatched. I am very desirous of preserving them alive, but much doubt whether I shall be able to do it, although I have supplied them with branches of the poplar tree. In their proper state the *larvæ* of this month feed only on the pith, or young wood of the trees on which the eggs are deposited. They undergo their change, into chrysalids, under the surface of the ground.

The cockchaffers this year are very few; and hitherto I have not observed a single specimen of the stag beetle (*lucanus cervus* of Linnæus), which are sometimes seen in considerable numbers. Both these insects were much more numerous than usual in the summer of 1804.

The field crickets, *grylhus campestris*, are now heard every evening, making their shrill chirping noise in almost all the

fields. There is to me something extremely pleasing in the notes, if they may be so called, that are produced by these little animals.

The orange-tip butterfly, *papilio cardamisies*, during June may frequently be seen flying along the sides of the roads, and almost under every hedge.

The forest-flies, *hippobosca equina*, begin to be very teasing to the horses.

CHARACTER *of the late Right Hon.* W. PITT.

By John Bowles, Esq.

A Sense, both of justice and of gratitude, demands the acknowledgment that the confederacy which bade fair to rescue Europe from the state of debasement and vassalage in which she was plunged, and to restore her to independence and security, was the work of that great statesman, whose loss this country has deplored as one of the heaviest calamities which could possibly befal it; and was a glorious termination of his illustrious life: a work which, notwithstanding its failure, will excite the wonder of future ages—and which would be sufficient to transmit, with unrivalled lustre, the name of Pitt to the latest posterity. This is no exaggeration. In the eye of unbiassed reason, the framer of the late powerful and well-concerted league, deserves, on that account, no less applause than all mankind would have been eager to bestow on him, if it had met with the most complete success, and he had been universally hailed, as in that case he must have been—the deliverer of Europe, from the most ferocious, oppressive, and wide spreading tyranny, that has ever been established on the face of the earth.

This tribute is due to departed excellence; and it will be felt to be so by many who have been backward in doing justice to living worth. A higher tribute, however, to that excellence is demanded by the dearest interests of this country. As by contemplating great characters, the mind is warmed with admiration, until it kindles into congeniality, nothing can be better calculated to raise the mind of this country to a level with its present most arduous situation, than the contemplation of the character of Mr. Pitt. But who shall attempt to delineate such a character? Who can adequately describe those matchless talents, which excited the astonishment even of those who were best acquainted with the models of Grecian and Roman eloquence: talents too, so various, as never to have been before united in the same individual; each of which was sufficient to render its possessor an object of the highest admiration,

tion, and which, collectively, formed a constellation of genius and ability, such as had never before illumined the political world?

Mr. Pitt, however, possessed far higher claims to admiration and estimation than it is in the power of talents to bestow. He was cast upon times which called for an uncommon display of those qualities in which true greatness consists—and he displayed those qualities in a manner, certainly never surpassed, perhaps never equalled. By his comprehension, energy, and firmness of mind; by his decision of character, by his intrepidity of soul, he became the bulwark, and, under providence, the preserver of his country, at a crisis of unprecedented difficulty, danger, and dismay. But the highest merits are yet untouched. If it be true, that "an honest man's the noblest work of God," how noble a work was that man, who not only maintained the most perfect integrity, the most unsullied purity, in situations where those virtues are exposed to the severest trials, but who superadded thereto such a disinterestedness of mind, such an indifference to every personal feeling and consideration, such an entire and absolute devotedness to his country, that in him the attachment to self, which seems to be inseparably interwoven with our nature, was lost and absorbed in unceasing solicitude for the public welfare.

After all, to do justice to this truly great man, he must be viewed in that trying situation in which all temporal interests fade away, and an eternal scene opens to the view. In that awful state he shone with increased lustre. Building hopes of approaching and endless felicity on the only safe foundation, he still contiued to feel that solicitude for his country, to which his life was a sacrifice; on his death-bed, he displayed the highest excellence that can adorn the human character; and with his expiring breath, he proved himself a real patriot, and a true Christian.

INTERESTING TRIALS.

COURT of KING's BENCH,

Guildhall, July 13.

Sittings at Nisi Prius, before Lord Chief Justice Ellenborough, and a Special Jury.

DEFAMATION.

HAWKS *v.* HAWKEY.

THE learned counsel who opened this case, stated it to be an action for slander; the words were, "How does little

little honesty, I mean Tommy Hawkes; he is a great rogue, and has been guilty of perjury?" To enlarge on the value of character before so enlightened a jury, would, he observed, be only a great waste of time. No cases, however, differed more from each other than actions for words; and none were more mischievous than those where perjury is imputed to the party. The charge, in this case, emanated out of a transaction between these parties, which gave rise to a suit in a court of equity, wherein the plaintiff had put in an answer to the defendant's bill, upon which he grounded this foul charge. The plaintiff was an eminent army accoutrement-maker, residing in Piccadilly, and the defendant, who had formerly been his foreman, had lately set up for himself, at no great distance, in the same street. The bill was filed for a demand of 700l. against the plaintiff, and to his answer was ascribed the foul crime already mentioned. Not satisfied with this, in order to give effect to his malicious purpose, he actually sent him a copy of an indictment for perjury, which, he said, he should prefer before the grand jury. He even did more; for whenever he met or could see any person belonging to the plaintiff, he took care to inquire for "Little Honesty," adding, "I've had him to the Old Bailey for perjury; he is a great rogue, &c. &c." His purpose being evidently to destroy the plaintiff's character, to insult his family, and to injure him, from a premeditated and malignant mind; under such circumstances, he trusted the jury would take good care he should not repeat such malevolent assertions in future.

Some witnesses were called, who proved the words spoken, in various ways, and at different times, with some additions, not charged in the declaration.

Mr. Dauncey, for the defendant, in his opening the case, expressed much surprise that he should have to address a special jury upon such a case as this. The learned gentleman who had stated the plaintiff's case, had dwelt with some force upon the malignity of the defendant, but he would ask, if any such were in proof? and if this was not a case quite foreign from such a supposition? The fact was, this was a man leaving his master, and setting up for himself, in the same neighbourhood; he had a demand on his former master, and had not been paid, and was obliged to institute a suit in equity; this was enough to provoke almost any man; and, in a moment of irritation, he calls him "Little Honesty," accompanied, perhaps, by some of the expressions stated by the witnesses. There was only one expression in the evidence, however, which supported the declaration; the charge of perjury was certainly actionable, and there must be damages upon that for the plaintiff. The other words went for nothing; and he really was astonished, that twelve gentlemen of a special jury should be brought

brought from their homes and business, to hear so trumpery a tale. Was it any more than the language of an angry man, disappointed in not getting his money? If he was obliged further to prosecute his suit in equity, he must inevitably be ruined in seeking a just demand; and he trusted the jury would find some small species of English coin, as damages, which would not add to this poor man's utter ruin.

Lord Ellenborough told the jury, that certainly the only words actionable in this case were the allegations of perjury. The rest were mere words of abuse, and they would give such damages as they should think the plaintiff entitled to.

The jury consulted a few minutes, and then returned a verdict for the plaintiff of 10l. damages.

COURT of COMMON PLEAS,

Saturday, July 19.

HULLS *v.* BLYTHE.

THIS was an action to recover 63l. under the following circumstances. The plaintiff, a farmer, placed bills to the amount of 181l. in the hands of the defendant, a linen-dealer in the city of London, for the purpose of getting them discounted. The defendant, not chusing to advance ready money, offered to give goods of the value of the bills, which the plaintiff agreed to take, relying on the word of the defendant respecting the value of them. When the goods were sold by auction soon after, they proved to be worth no more than 118l. consequently the plaintiff lost the difference between the value of the bills and the goods in question.

Sir James Mansfield observed generally, that if a trader sold goods to a person ignorant of the value of them, and they proved not worth the money given; it was a gross cheat; he, however, left the question with the jury, to decide whether it was a *bona fide* transaction; intimating at the same time, that it was not like a bargain between two linen-dealers, who knew the value of the article; it was between a farmer, ignorant of the commodity, and a trader. The jury, without hesitation, found a verdict for the plaintiff.

This verdict will tend to the discontinuance of a practice prevalent amongst money-lenders, of foisting off on their necessitous clients articles of merchandize frequently not worth a tythe of their nominal value.

RESUSCITATION.

THE following remarkable instance of resuscitation occurred at Brighthelmstone early in the month of July. As Mr. Ireland, linen-draper in that town, was bathing in the sea, he imperceptibly got out of his depth, and being but an indifferent swimmer, was stricken with fear and sunk. The circumstance being observed by a soldier of the South Gloucester militia, who was also bathing, he hastened to his assistance, and in his humane attempts to save him, had nearly lost his own life, from the difficulty he experienced in disengaging himself from the drowning man, whom he had bought up by diving, and whom self-preservation compelled him to abandon until he was aided in his exertions by two other men, who together succeeded in recovering the body, after it had lain about five minutes under water, when it was taken to shore, but without any apparent signs of life. No time was lost in conveying the body to Mr. Smith's, in North-street, where Mr. Hall, surgeon, assisted by Mr. John Smith, and others, exerted themselves in the application of the means recommended by the humane society, and with the happiest effect, as in about half an hour symptoms of returning animation appeared, and increased, until at length Mr. Ireland was perfectly restored to his friends, and to society. As the circulation quickened, Mr. Ireland suffered great pain, and in consequence expressed a wish to die; but he has not the smallest recollection of any painful sensation at the time he was sinking.

CAUTION *to* APPRENTICES.

THE following clause in the new mutiny act should be known:—"And be it further enacted, that if any person duly bound as an apprentice, shall enlist as a soldier in his majesty's land-service, and shall state to the justice of the peace, or magistrate before whom he shall be carried, that he is not an apprentice; every such person so offending, shall be deemed guilty of a misdemeanor; and being thereof duly convicted, shall be, and is hereby declared to be subject and liable to be imprisoned in any jail or house of correction, and kept to hard labour for two years; and shall, after the expiration of his apprenticeship, be liable to serve his majesty as a soldier in any regiment of his majesty's regular forces; and if, on the expiration of his apprenticeship, he shall not deliver himself to some officer authorised to receive recruits, may be taken as a deserter from his majesty's regular forces. The master must bring his complaint before a justice of the peace within one month after the absconding of the apprentice."

REFLECTION.

WAR is attended with such accumulated misery that all its pomp and grandeur can but slightly alleviate its horrors.

Picture of the singular Village of Broek, in the Vicinity of Amsterdam, written in 1803.

THE houses, amounting to about three hundred, are entirely isolated; nor are any two of them alike. Each house generally stands in the centre of a little garden, containing parterres laid out in scrolls and figures, bordered by box-shrubs, shells, coloured beads, and glass, which, being intermingled with verdant turf, produce a very curious effect: some of these beds were varied with the choicest flowers. The houses are built of wood, and in the most grotesque forms; they are painted with different colours, but the green seemed most to predominate.

The slates or tiles upon the roofs are glazed, and, when the sun shines, they produced a dazzling and very unpleasant effect. The church is situated in the centre of the village, and is a neat structure, with windows of painted glass, representing the cruelties that were perpetrated in this place by the Spaniards. The narrow streets are all smoothly paved with bricks of a pale colour, which are kept as clean as the floor of a drawing-room: no person is permitted even to spit in the streets, and they are not of a sufficient breadth to allow the passage of any carriage.

A little rivulet, called de Havenah, passes through the village to the Vyver, which is a lake surrounded by the best houses, and whose banks partake of the general local neatness. Delighted as we were within the extraordinary place, we were absolutely astonished at the universal silence which every where prevailed; not the smallest noise was to be heard, nor a human form to be seen; and though in broad day-light, the stillness and solitude of night reigned all around. We even entered the gardens, gathered the flowers, and took up the shells and beads, which composed their variegated beds, without the least molestation.

Though the population of this village is estimated at a thousand persons, the writer of the above account asserts, that in the whole of his perambulation through it, he saw only one old woman, two men, and a boy: the inhabitants of Broek always hiding themselves on the approach of strangers. They are united by some political and religious opinions which are peculiar to themselves.

Answer, by W. D. of Bristol, to J. Fairweather's Rebus, inserted May 19.

THE, CAMEL, Sir, I've brought to view,
Which is your rebus, so adieu!

†§† We have received the like answer from J. S. and H. Stoneman, of Exeter; T. Coumbe, of St. German's; W Varcoe, of Mevagissey; J. L. Scanes, of Sidmouth; W. Cross, of Bristol; P. C. and R. Gidley, junior, of Dean Prior; Walter Bickham, jun. of Ashburton; J. Woodman, jun. of North Curry; H. Glasson, of Praze; Rusticus, of Awliscombe; W. Sparks, of Ufculm; M. Duncan, jun. of Plymouth; J. Salter, of Broadhembury; and J. Matthews, of Dartmouth.

Answer, by W. Cross, of Bristol, to H. Glasson's Charade, inserted May 26.

A GRASS-HOPPER, if I am right,
In your charade is to sight.

☞ We have received similar answers from W. D. of Bristol; W. Mann, and W. Bickham, of Ashburton; Rusticus, of Awliscombe; J. Butler, of Wellington; R. I. Paget, H. Stoneman, and J. S. of Exeter; P. C. and R. Gidley, of Dean Prior; J. L. Scanes, of Sidmouth; William Pollard, of Egloshayle; W. D C. of Bridgewater; William Richards, of Yealmpton; T. Coumbe, of St. German's; William Varcoe, of Mevagissey; J. Fairwether, of Batson, near Kingsbridge; M. Duncan, of Plymouth; J. Salter, of Broadhembury; J. Lewis, of Poole; R. Trewavas, jun. of Mousehole; a correspondent of Honiton; W. Sparks, of Ufculm; J. Matthews, of Dartmouth; J. Woodman, of North Curry; Thomas Scadding; and J. Trowbridge, of Tilshead school.

An ANAGRAM, *by Thomas Scadding.*

WHAT tailors use, ye gents. transpose,
A type of famine you'll disclose:
Subtract one letter from the same,
What's very awful, then you'll name.

A CHARADE, *by E. S. of Tiverton,*

TO peace and love my first's a foe,
Which made me for a soldier go,
Join'd in my first, with martial fire,
I for my second did inquire:
When fierce, contending passions roll,
And Satan's wiles attack the soul,
In hopes a heavenly prize to gain
The Christian does my whole sustain.

A CHARADE, *by T. Rutger, of Clowance.*

A Grudge, kind Sir, if you transpose,
My first you'll then detect;
And if my next you'd fain disclose,
Its what doth claim respect:
My whole, subservient to the great,
In splendour doth appear;
And, for to make each charm compleat,
Oft decorates the fair.

POETRY.

For the WEEKLY ENTERTAINER.

An EVENING WALK.

HAIL slow-proceeding eve! sweet silent eve!
Again thou com'st thro' hill, dale, vale, and plain,
In softly shaded mantle. Now alone,
Slow-rambling o'er the mountain's hilly top,
Where I can see thy beauties in extent,
I cast my eye with rapture down the vale,
And tell, a thousand times, thy beauties o'er!
The ploughman now, yielding his tiring plough,
Retiring homeward, quits the cloddy glebe;
And with his coupled steeds, fatigu'd with toil,
Moves slow and tardy on. Far happier he
Than those who, by the fickle hand of chance,
Wallow a time in luxury and wealth;
Than they that whisk about in frippery gigs,
In noisy chariots, or in tandems gay.
The loit'ring shepherd leaves his fleecy care,
His fold now penn'd, and tow'rds his peaceful cot
(Yon where the tufted elm conceals its front)
He stalks along with slow but even pace.

Now o'er yon tow'r, where mould'ring turrets rise,
The setting sun reflects his golden beams;
And glitt'ring o'er the broken crevices,
Resembles more fair Cynthia's than his own;
And farther now adown the western sky
He slowly seems to move: and now below
Th' horizon sinks his round and ruddy face.
But hark! I hear adown yon woodland grove,
Sweet plaintive notes, warbling melodious:
Now high, now low, now soft and sweet they rise,
Sure never bird more sweetly ever sung!
'Tis Philomel! queen of the warbling throng,
Chanting her sorrows to the rising moon?

Now all around,
Slowly, by imperceptible degrees,
Grey twilight huddles on her dusky cloak:
Plains, hills, and vales are now but dimly seen,
And woods, and trees, and groves now dark appear,
Softly o'ershadow'd. Now darkens, darkens still
The air perceptibly; big clouds o'erhang,
And screen the purple sky, and night draws on,
Clad all in sable dark; and will be so,
Until the dappled dawn breaks thro' the skies.

Tilshead-school, June, 1806. W. TUCKER.

TO THE EVENING STAR.

HAIL, loveliest of the stars of heaven,
Whose soft, yet brilliant beams display,

The

The mildness of advancing even,
The splendour of retiring day!

Star of delight! the rosy sky
Sheds tears of joy for thy return;
Around thy car the breezes sigh,
Nymphs of thy train, the planets burn.

All earth is gladden'd by thy rays;
And every flower, and shrub, and tree,
Boasts fresher bloom, and grateful pays
A tribute of perfume to thee.

Day for thy partial smile contends;
Night boasts for her thy glories shine;
Before thee tranquil pleasure bends,
And beauty whispers, "thou art mine."

Yes, thou art beauty's friend and guide;
Conducted by thy beams so sweet,
She wanders forth at even-tide,
The chosen of her heart to meet.

All grace she moves—with steps as light
As rapture's bliss or fancy's dream;
More soft her thoughts than dews of night,
More pure than that unwaving stream.

Thy beams disclose the haunt of love,
Conspicuous 'mid the twilight scene;
For spring its leafy texture wove,
And wedded roses to its green.

Fair wand'rer of the sun-set-hour,
Approaching to the ruddy west,
Where fairy forms prepare thy bow'r
With blooms from heavenly gardens dress'd—

Behold the light that fills her eye,
The flushes o'er her cheeks that move:
Can earth a sight more sweet supply,
Than loveliness improv'd by love?

"Yes far more sweet!" Methinks the while
I hear thy accents whisper low;
"'Tis beauty with her angel smile
"Inclining o'er the couch of woe."

EPITAPH *on a* YOUNG LADY.

[From Pratt's Harvest Home.]

READER, if youth should sparkle in thine eye,
If on thy cheek the flow'r of beauty blows,
Here shed a tear, and heave the pensive sigh,
Where beauty, youth, and innocence repose.
Doth wit adorn thy mind? Doth science pour
Its ripen'd bounties on thy vernal year?
Behold, where death has cropp'd the plenteous store!
And heave the sigh, and shed the pensive tear.
Does music's dulcet notes dwell on thy tongue?
And do thy fingers sweep the sounding lyre?
Behold, where low she lies! who sweetly sung
The melting strains a cherub might inspire.
Of youth, of beauty, then, be vain no more,
Of music's power, of wit and learning's prize;
For while you read, these charms may all be o'er,
And ask to share the grave where Anna lies.